## EXHIBIT 12

Case 1:16-cv-08160-PAE Document 49-13 Filed 04/07/17 Page 2 of 5

BEYOND'
Beyond any store of its kind.

ASSISTANT STORE MGR/OPERATIONS MGR. (Page 1 of 2)

Name: Hector Carabr///Store #: // C/C Date of review: \_\_\_\_\_\_

KEY: SE - Significantly Exceeds Expectations, EE - Exceeds Expectations, ME - Meets Expectations MS - Mects Some Expectations, DM - Doesn't Meet Expectations SM's/DM's Evalution Self Evaluation If Different From Self Eval. 1. PERFORMANCE SKILLS SE EE ME MS DM CUSTOMER SERVICE - overall rating SE EEMEMS DM 1. Always leads by example the customer service standards which create positive experiences for employees and customers. SE Æ ME MS DM 2. Institutes practices which ensure that all opportunities to enhance SĖ (EB) ME MS DM customer service are pursued. 3. Complies with Bridal and Gift Registry program standards when servicing both SE EE WE MS DM registrants and guests. 4. Holds managers/staff accountable for maintaining customer service on the sales SE EE NO MS DM SE EE MB MS DM 5. Ensures that customers are viewed as a priority. 6. Properly staffs and schedules managers/associates to maximize coverage during SE EE MI MS DM peak traffic times, MERCHANDISING SKILLS - overall rating SE EE MEMS DM 1. Merchandises the selling floor with an appropriate fashion sense and SE EE ME MS DM taste level considering business trends and opportunities. 2. Complies with Company guidelines regarding signage. SE EE ME MS DM SE EE ME MS DM SE EE ME MS DM Complies with Company guidelines regarding floor/deptartment/item presentations. Ensures selling floor is maintained neatly. Communicates and works well with Regional/District Merchandise Managers. SE EE ME MS DM SE EE ME MS DM SE EE M MS DM Orders/reorders appropriately. Knows what to feature; knows what's selling. Identifies, addresses and resolves out of stock situations. SE EE ME MS DM Identifies and communicates unique and individual store opportunities, SE EE ME MS DM focusing on the core customers needs. OPERATIONAL SKILLS - overall rating se ee Mems dm SE EE WE MS DM 1. Understands and executes principles of Process Improvement (PI). 2. Effectively monitors freight received into store. SE EE MEDMS DM SE EE ME MS DM Ensures all receiving policies/procedures are adhered to. SE EE ME SE EE ME MS DM SE EE ME MS DM 4. Ensures stockrooms meet required Company standards (customer ready). 5. Orders/reorders supplies appropriately. SE EE ME MS DM 6. Monitors condition of RTV and ship out area. 7. Ensures RTVs and shipouts are processed accurately and in a timely manner. SE EE - 8. Works with office to resolve CIP issues: SE EE ME MS DM SE EE ME MS DM SE EE ME MS DM 9. Verifies all price management/PLU functions are being performed properly. 10. Complies with Company standards for all operational policies and procedures, 11. Ensures building maintenance. 12. Secures the Company's assets by following all Loss Prevention directives. . . SE EE ME MS DM EE ME MS DM 13. Understands markdown implications in regards to RTVs. SE 14. Understands the financial implications of adhering to operational policies and procedures such as price changes, inventory and concealed shortages. EE ME MS DM SE EE MOLMS DM 15. Works in a safe manner and maintains safe, clean work environment. 16. Understands and implements safety policies, standards and procedures SE EE NO MS DM (including accident reporting). 17. Assures that Managers and hourly associates comply with safety policies and procedures. SE EE KODE MS DM SE EE ME MS DM SE ED ME MS DM 18. Takes action to immediately address unsafe issues. 19. Effectively utilizes JDA. SE Æ ME MS DM 20. Effectively utilizes the Portal. INTERPERSONAL/MANAGEMENT SKILLS - overall rating SE EE MINS DM 1. Provides ongoing training and development for managers and associates SE EE ME MS DM to contribute to the growing needs of the Company as well as the store. SE EE ME M9 DM SE EE M2 MS DM 2. Effectively executes and adheres to the Management Development Program. 3. Motivates staff to work at a consistently high level. SE EE ME MS DM 4. Prepares, administers and/or gives input for timely and thorough performance reviews. SE EE M MS DM 5. Delegates and follows through on assignments. SE 6. Accepts responsibility for actions. EE ME MS DM 7. Communicates and works well with peers and subordinates. SE EE MIR MS DM MB MS DM 8. Anticipates and effectively resolves problems. SE EE ME MS DM 9. Completes all necessary paperwork accurately and in a timely manner. SE EE ME) MS DM 10. Conducts disciplinary/counseling situations in a fair and constructive manner. SE EE PERSONAL WORK CHARACTERISTICS - overall rating SE EE ME MS DM SE EE ME MS DM SE EE ME MS DM 1. Exercises proper and ethical behavior at all times. 2. Accomplishes objectives with a sense of urgency and with minimum supervision 3. Works effectively under pressure. SE EE MR MS DM 4. Seeks greater level of responsibility. SE EE M MS DM SE (E) ME MS DM 5. Willing to work for good of the Company; is team player. SE EE ME MS DM 6. Aptitude for dealing with people (tact). SE EE ME MS DM SE EE ME MS DM SE EE ME MS DM 7. Controls documents and data. 8. Understands importance of implications to intellectual integrity, 9. Makes effective use of time. 10. Promptness (tardiness) and attendance. SE EE ME MS DM ME ----Rev. 8/04; rev. 1/07

## ASSISTANT STORE MGR./OPERATIONS MGR. (Page 1 of 2)

2. FINANCIAL	PERFORMANCE	·	
Store#	Shrink % TY vs LY	DA%	Productivity % TY vs Plan
3. GOALS AND O	BJECTIVES		
A. Objectives Acco List the specific g from goals establ	mplished goals and objectives accomplished by the en ished at previous review or during the peric	nployee during the appraisal period, co	impared with the results expected
	SELF EVALUATION:		R'S EVALUATION:
3. Unaccomplished  List the specific g	Objectives goals and objectives not accomplished by the in previous review or during the period.	e employee during the appraisal period	l, compared with the expected
	SELF EVALUATION:	SUPERVISOI	R'S EVALUATION;
C. Goals and Object	tives for next Review Period: titative and/or qualitative goals or objective	s the employee should foous on during	the next various nation (For each
goal or objective i	indicate how accomplishment of goal/object SELF EVALUATION:	tive will be measured and indicate targ	et date for accomplishments.) R'S EVALUATION:
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lame:	CALL CALLEAN	Store name and	is Rist
ate of hire:		Date of review	120110
eviewed employee's	s signature after review conference:	- Senature (	Date Date
eviewer's signature	after review conference:		1031-13
<u>-</u>	; .	Signature	ASTY   Date   31-1"
•	•	Reviewer's F	Printed Name

BED BATH & Beyond any store of its kind,

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ASSISTANT STORE MGR./OPERATIONS MGR. (Page 1 of 2) Store #: 1194 Date of review:

KEY: SE - Significantly Exceeds Expectations, EE - Exceeds Expectations, ME - Meets Expectations MS - Meets Some Expectations, DM - Doesn't Meet Expectations SM's/DM's Evalution If Different From Self Eval. Self Evaluation SE EE MEMS DM M.S. 1. PERFORMANCE SKILLS ME CUSTOMER SERVICE - overall rating SE EE MEMS DM 1. Always leads by example the customer service standards which SE EE ME MS DM create positive experiences for employees and customers. KTC, Scanning, Replement? 2. Institutes practices which ensure that all opportunities to enhance SE EE ME MS DM customer service are pursued.

3. Complies with Bridal and Gift Registry program standards when servicing both SE EE ME ME DM registrants and guests. COACHING IN The 4. Holds managers/staff accountable for maintaining customer service on the sales SE EE ( MS DM floor and front end, 5. Ensures that customers are viewed as a priority. SE EE MB MS DM MINUTE TEAINING! 6. Properly staffs and schedules managers/associates to maximize coverage during SE EE MD MS DM peak traffic times. MS MERCHANDISING SKILLS - overall rating SE EE MEMS DM Driving SALES WE 1. Merchandises the selling floor with an appropriate fashion sense and MS SE EE ME MS DM SE EE ME MS DM All Complete special is small taste level considering business trends and opportunities. Complies with Company guidelines regarding signage. Coro Congrol, Full, Impare Guldes/SPECS TASK 187 follow up? Builds. Submitted author SE EE OB MS DM 3. Complies with Company guidelines regarding floor/deptartment/item presentations. ME MS DM Ensures selling floor is maintained neatly. SE EE SE EE ME MS DM SE EE ME MS DM SE EE ME MS DM 5. Communicates and works well with Regional/District Merchandise Managers, Orders/reorders appropriately. Knows what to feature; knows what's selling. 7. Transfer Bushessis, ormaning Asses EE (MB) MS DM MS Identifies, addresses and resolves out of stock situations. SE Identifies and communicates unique and individual store opportunities, SE EE ME MS DM MS focusing on the core customers needs. Chase ITems? MS OPERATIONAL SKILLS - overall rating SE EE MEMS DM Dollar Outs, Promoty Folcod Review SE EE ME MS DM ME 1. Understands and executes principles of Process Improvement (PI). SE EE ME MS DM SE EE ME MS DM SE EE ME MS DM Effectively monitors freight received into store. MS Ensures all receiving policies/procedures are adhered to. Ensures stockrooms meet required Company standards (customer ready). Conhenger Books, M SE EE WE MS DM Orders/reorders supplies appropriately. Display 53 SE EE ME MS DM Monitors condition of RTV and ship out area. 6. ME MS DM Ensures RTVs and shipouts are processed accurately and in a timely manner, SE EE SE EE NEMS DM Works with office to resolve CIP issues. EE ME MS DM WALKS GWP/ROBATES? MS SE Verifies all price management/PLU functions are being performed properly. SE EE ME MS DM SE EE ME MS DM 10. Complies with Company standards for all operational policies and procedures. Clear Shelves, Painting, 11. Ensures building maintenance. ME CROSSING REPROCES ENT SE EE WE MS DM SE EE ME MS DM 12. Secures the Company's assets by following all Loss Prevention directives. 13. Understands markdown implications in regards to RTVs. MS AND O METCHANDISIONS, & 14. Understands the financial implications of adhering to operational policies SE EE ME MS DM SE EE NO MS DM MS Pulling in shares and procedures such as price changes, inventory and concealed shortages, 15. Works in a safe manner and maintains safe, clean work environment. 16. Understands and implements safety policies, standards and procedures SE EE WE MS DM SE EE WE MS DM (including accident reporting). 17. Assures that Managers and hourly associates comply with safety policies and procedures. SE EE ME MS DM SE EE ME MS DM SE EE ME MS.DM 18. Takes action to immediately address unsafe issues. 19. Effectively utilizes JDA, 4'Transigions, Business

Rules, WTF 20. Effectively utilizes the Portal. CORELING IN THE PRESENCE 7 SE EE ME MS DM ME INTERPERSONAL/MANAGEMENT SKILLS - overall rating 1. Provides ongoing training and development for managers and associates SE EE ME MS DM MS TWO MISSURE TO GIVENS to contribute to the growing needs of the Company as well as the store. SE EE ME MS DM SE EE ME MS DM 2. Effectively executes and adheres to the Management Development Program, Holo to Higher Stervereds. 3. Motivates staff to work at a consistently high level. V15 SE EE ME MS DM SE EE ME MS DM 4. Prepares, administers and/or gives input for timely and thorough performance reviews. Completion of WAIL NOTES 5. Delegates and follows through on assignments. SE EE ME MS DM SE EE ME MS DM SE EE MB MS DM ME 6. Accepts responsibility for actions. ALGERTS BUT NO Change 7. Communicates and works well with peers and subordinates. Future Planning Larce find the Ages 8. Anticipates and effectively resolves problems. MS SE EE ME MS DM SE EE ME MS DM 9. Completes all necessary paperwork accurately and in a timely manner. MS 10. Conducts disciplinary/counseling situations in a fair and constructive manner. PERSONAL WORK CHARACTERISTICS - overall rating SE EE MEMS DM ME SE EE ME MS DM SE EE ME MS DM 1. Exercises proper and ethical behavior at all times. SWALLINGS BEAUTOD 2. Accomplishes objectives with a sense of urgency and with minimum supervision MS 3. Works effectively under pressure. 原 SE EE MS DM 4. Seeks greater level of responsibility. SE EE MS DM EE ME MS DM BE ME MS DM 5. Willing to work for good of the Company; is team player. SE 6. Aptitude for dealing with people (tact). SE MAG SE EE WE MS DM 7. Controls documents and data. SE EE ME MS DM SE EE ME MS DM SE EE ME MS DM 8. Understands importance of implications to intellectual integrity. 9. Makes effective use of time. Rev. 8/04; rev. 1/07 10. Promptness (tardiness) and attendance.

Long Commute

## · ASSISTANT STORE MGR./OPERATIONS MGR. (Page 1 of 2)

	2. FINANCIAL	PERFORMANCE	•	,				
	Store#	Shrink % TY vs LY	DA%	Productivity % TY vs Plan				
	3. GOALS AND O	3. GOALS AND OBJECTIVES						
	A. Objectives Acco List the specific g from goals estable	mplished oals and objectives accomplished by the emp	oloyee during the appraisal period, compared	d with the results expected				
	•	SELF EVALUATION:	SUPERVISOR'S I	EVALUATION:				
	B. Unaccomplished List the specific g	Objectives oals and objectives not accomplished by the	employee during the appraisal period comp	ared with the expected				
••	results as defined	in previous review or during the period. SELF EVALUATION:	SUPERVISOR'S E	•				
			· · · · · · · · · · · · · · · · · · ·					
`	Identify 2-3 quant goal or objective is	tives for next Review Period: itative and/or qualitative goals or objectives indicate how accomplishment of goal/objectives. SELF EVALUATION:	the employee should focus on during the ne, we will be measured and indicate target date SUPERVISOR'S E	for accomplishments.)				
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,		ATING FOR PERIOD SCZER CANADALIO	SE EE ME MS  Store name and num					
	Date of hire:	10/13/2008	Date of review:	12/11/14				
	Reviewed employee's	signature after review conference:	Signature	12-11-14 Date				
	Reviewer's signature	after review conference:		12/1/19				
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